

MEMORANDUM

DATE: April 4, 2007

TO: All Members of the Delaware State Senate
and House of Representatives

FROM: Ms. Daniese McMullin-Powell
Chairperson
State Council for Persons with Disabilities

RE: H.B. 65 [Trans Fat Ban in Schools]

The State Council for Persons with Disabilities (SCPD) has reviewed H.B. 65 which is intended to ban trans fats in public schools during school hours. The bill uses 0.5 grams per serving as the threshold. This is consistent with the attached New York City (NYC) standards which “allows for the presence of naturally occurring trans fats in meat and dairy foods as well as newer “low trans fat” foods.”

The latest national initiative is to ban or reduce trans fats in food. In December 2006, New York City banned all trans fats in restaurants effective July 2008. Both the aforementioned NYC Rule and an attached MSNBC article describing the ban list the ill health effects of trans fats. Consistent with the MSNBC article, bills are pending in ten (10) states to restrict or prohibit trans fats in restaurants. Bills are pending in six (6) states to ban trans fats in school cafeterias.

SCPD strongly endorses the bill subject to clarification of its coverage. The synopsis indicates that it applies to public schools. However, the reference to “schools” in line 13 could be interpreted to cover private schools. Other sections within Title 14, Ch. 41 refer to both public and private schools. See, e.g., §§4103, 4107, and 4111. If the intent of the bill is to only cover public schools, this should be clarified in line 13.

Thank you for your consideration and please contact SCPD if you have any questions regarding our position or observations on the proposed legislation.

cc: The Honorable Ruth Ann Minner
Governor’s Advisory Council for Exceptional Citizens
Developmental Disabilities Council

